

INTERVENTION



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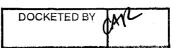
Arizona Corporation Commission

DOCKETED

AZ CORP COMMISSION DOCUMENT CONTROL

SEP 2 7 2002

BEFORE THE ARIZONA CORPORATION COMMISSION 27 P 3: 33



IN THE MATTER OF THE APPLICATION OF ARIZONA PUBLIC SERVICE COMPANY FOR AN ORDER OR ORDERS AUTHORIZING IT TO ISSUE, INCUR, OR ASSUME EVIDENCES OF LONG-TERM INDEBTEDNESS; TO ACQUIRE A FINANCIAL INTEREST OR INTERESTS IN AN AFFILIATE OR AFFILIATES; TO LEND MONEY TO AN AFFILIATE OR AFFILIATES; AND TO GUARANTEE THE OBLIGATIONS OF AN AFFILIATE OR AFFILIATES

WILLIAM A. MUNDELL

JIM IRVIN

MARC SPITZER

CHAIRMAN

COMMISSIONER

COMMISSIONER

DOCKET NO. E-01345A-02-0707

MOTION TO INTERVENE BY RELIANT RESOURCES, INC.

Reliant Resources, Inc. ("Reliant") hereby moves to intervene in the aboveentitled matter pursuant to A.A.C. R14-3-105. This Motion is supported by following facts:

- 1. Reliant is directly and substantially affected by the above-entitled application of Arizona Public Service Company ("APS") because:
 - Reliant is the owner of a generation plant located in Casa
 Grande, Arizona.
 - APS owns and operates a transmission system to which the plant is interconnected.
 - c. The financing is intended to assist Pinnacle West Energy Corporation ("PWEC") (which is affiliated with APS and APS' parent, Pinnacle West Capital Corporation). PWEC owns generating facilities that compete with Reliant's generating facility for the sale of power and energy in Arizona.

d. The proposed financing by APS may affect APS' financial health and thus APS' ability to continue to provide transmission service, as well as the rates for that service. The proposed financing may also result in APS' ratepayers, including Reliant, subsidizing the generation activities of APS' affiliates, and adversely impact the competitive wholesale energy market in Arizona.

- 2. The Application of APS submitted in support of its Application does not provide the Commission with the financial basis on which it can make the foregoing finding. Under A.R.S. § 40-3012, et seq., public service corporations may not issue notes and other evidence of indebtedness without Commission approval. The Commission shall not grant such an application "unless it finds that such issue is for lawful purposes which are within the corporate powers of the applicant, are compatible with the public interest, with sound financial practices and with the proper performance by the applicant of service as a public service corporation and will not impair its ability to perform that service."
- 3. Reliant seeks to intervene in order to protect its direct and substantial interest as outlined above, by exploring the issues of whether the financing "is for lawful purposes which are within the corporate powers of the applicant, are compatible with the public interest, with sound financial practices, and with the proper performance by the applicant of service as a public service corporation and will not impair its ability to perform that service" and thus, Reliant's intervention will not unduly broaden the issues to be decided in this matter.

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Respectfully submitted this 27th day of September, 2002.

MARTINEZ & CURTIS, P.C.

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Michael A. Curtis, Esq. 2712 North Seventh Street

Phoenix, Arizona 85006-1090

LAW OFFICES MARTINEZ & CURTIS.P.C. 2712 NORTH 7TH STREET PHOENIX, AZ 85006-1090 (602) 248-0372

1	Original and 10 copies of the foregoing filed this 27th day of September, 2002, with:	
2	Docket Control	
3	Arizona Corporation Commission	
	1200 West Washington Street	
4	Phoenix, Arizona 85007	
5	Copies of the foregoing hand-delivered this 27th day of September, 2002, to:	
6	Chair Vamalay Chief Councel	Lyn Farmer, Chief Administrative Law
7	Chris Kempley, Chief Counsel Arizona Corporation Commission	Judge
8	Legal Division	Hearing Division
0	1200 West Washington Street	Arizona Corporation Commission
9	Phoenix, Arizona 85007	1200 West Washington Street
10		Phoenix, Arizona 85007
11	Ernest G. Johnson, Director Utilities Division	
11	Arizona Corporation Commission	
12	1200 West Washington Street	
13	Phoenix, Arizona 85007	
14	Copies of the foregoing mailed this 27th day of	September, 2002, to:
15	Thomas L. Mumaw, Esq.	Scott S. Wakefield
16	Senior Attorney	RUCO
	Pinnacle West Capital Corporation	1110 West Washington Street, Ste. 220
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